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CALIFORNIA SPORTFISHING PROTECTION ALLIANCE

[additional counsel next page]

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9 **UNITED STATES DISTRICT COURT**  
10 **EASTERN DISTRICT OF CALIFORNIA**  
11 **ROBERT T. MATSUI FEDERAL COURTHOUSE**

12 CALIFORNIA SPORTFISHING  
13 PROTECTION ALLIANCE,

Plaintiff,

14 v.

15 KATHLEEN ALLISON, in her official capacity  
16 as Secretary of the California Department of  
17 Corrections and Rehabilitation

Defendant

18 COUNTY OF AMADOR, a public agency of the  
19 State of California

Plaintiff,

20 v.

21 KATHLEEN ALLISON in her official capacity  
22 as Secretary of the California Department of  
23 Corrections and Rehabilitation; PATRICK  
24 COVELLO in his official capacity of Warden of  
25 California Department of Corrections and  
26 Rehabilitation Mule Creek State Prison,

Defendants

Case No.: 2:20-cv-02482-WBS-AC

**ERICA A. MAHARG'S DECLARATION IN  
SUPPORT OF PLAINTIFFS CALIFORNIA  
SPORTFISHING PROTECTION  
ALLIANCE AND COUNTY OF  
AMADOR'S OPPOSITION TO EX PARTE  
APPLICATION**

*[Filed concurrently with:*

1. *Plaintiffs' Joint Opposition to Ex Parte Application; and*
2. *Declaration of Christopher M. Pisano in Support of Opposition to Ex Parte Application.]*

Judge: Hon. William B. Shubb

Date: October 17, 2022

Time: 1:30 p.m.

Courtroom: 5

Action Filed: Jan. 7, 2021

Trial Date: April 18, 2023

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8 ALLIANCE

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1 I, Erica A. Maharg, declare as follows:

2 1. I am an attorney, licensed to practice law in all courts of the State of California. My  
3 firm and I serve as outside counsel for Plaintiff California Sportfishing Protection Alliance (CSPA).  
4 I have personal knowledge of the facts in this Declaration and, if asked, could and would testify to  
5 the accuracy of these facts in a court of law.

6 2. In August 2021, Plaintiffs jointly sent Defendants a proposed Consent Decree to  
7 settle the alleged claims.

8 3. Despite Plaintiffs reaching out to Defendants on numerous occasions, Defendants  
9 did not respond to the Consent Decree until March 24, 2023.

10 4. At the final pretrial conference on February 13, 2023, Plaintiffs urged the Court to  
11 set a settlement conference with a magistrate judge as soon as possible after to allow for sufficient  
12 time to conduct settlement discussions. Defendants stated that they would not be able to obtain  
13 settlement authority from a settlement conference with a magistrate judge for eight weeks.  
14 Therefore, the Court set a settlement conference on April 13, 2023, on the eve of trial.

15 5. Recognizing that the trial in this case is scheduled for April 18, 2023 and would last  
16 two weeks, I have modified briefing schedules in my other matters so that those schedules would  
17 not overlap. I have two substantive briefs due in May and June in other cases: (1) merits brief in a  
18 California Environmental Quality Act case; and (2) attorneys fee briefing. Continuing the trial for  
19 seven weeks would require me to find another attorney in our small firm to take over that other  
20 briefing and would result in significant prejudice.

21 I swear under penalty of perjury under the laws of the State of California and the United  
22 States that the foregoing is true and correct. This declaration was executed on April 4, 2023 in  
23 Flagstaff, Arizona.

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26 Erica A. Maharg  
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